

From: Mark Merten
To: Microsoft ATR
Date: 1/23/02 11:59am
Subject: Microsoft Settlement

To the Department of Justice,

I feel it is necessary to voice my strong opposition to the Proposed Final Judgement in the United Status vs.. Microsoft Anti-trust case. I have spent some time reading the judgment and reading some opinions on the judgment. Many issues are debated, but the issue I find most concerning is the lack of enforcement setup in the Proposed Final Judgement. I was unable to find any particular methods of enforcement or how an organization is going to verify that Microsoft is following all the rules setup by the Proposed Final Judgment.

I have worked in the computer industry for 10 years. My first job was doing phone support for a value add reseller, that sold Microsoft products. Over the course of my employment I had opportunity to communicate with several Microsoft support engineers. I heard one story that is a good example of Microsoft's blatant misuse of power. A support engineer once boasted to me how Microsoft specifically, incorrectly documenting windows 3.1 memory usage, such that 3rd party vendor products would crash windows 3.1 while attempting to use certain memory locations. Microsoft would document such areas available, and still use the memory locations, thus causing 3rd party vendors to struggle to release stable software for windows 3.1.

Overall, I feel the Proposed Final Judgment is far to inadequate, and stronger measures need to be taken to correct the unfair practices Microsoft has been implementing over the years. Thank you for your time. I hope the courts ruling will be fair and just.

Mark Merten